

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:

DIVERSIFIED SOLUTIONS, INC.

Debtor.

§
§
§
§
§

Case No. 14-10069

Chapter 11

**MOTION TO EXPEDITE HEARING ON
DEBTOR'S EXPEDITED MOTION TO ENFORCE THE AUTOMATIC STAY**

TO THE HONORABLE TONY M. DAVIS,
UNITED STATES BANKRUPTCY JUDGE:

DIVERSIFIED SOLUTIONS, INC., the Debtor-In-Possession files this *Motion to Expedite Hearing on Debtor's Expedited Motion to Enforce the Automatic Stay* ("Motion to Expedite") and would respectfully show the Court as follows:

1. On January 17, 2014, Debtor filed a Motion to Enforce the Automatic Stay [Dkt. 4].
2. As noted in the Supplement to Motion to Enforce the Automatic Stay [Dkt. 5], the Connecticut District Court is continuing the proceeding in Connecticut notwithstanding the imposition of the automatic stay. Given the allegations set forth in Count VI of Garnet Analytics' Complaint, the allegations against both the Debtor and the other defendants are significantly intertwined. Complaint, at p. 14-16. Further, Garnet Analytic's has taken no efforts to either attempt to obtain stay relief from this Court or to sever out the Debtor from the Connecticut proceedings. Consequently, any action within the Connecticut proceeding constitutes a continuation of a judicial proceeding against the Debtor.
3. Diversified believes that Judge Eginton, the district court judge in Connecticut, has an understandable misunderstanding of the application of the automatic stay. By statute, the

Connecticut proceeding was automatically stayed temporarily. In order for the proceeding to continue against non-debtors only, certain actions must take place: either the stay must be lifted by this Court or the Debtor is severed from the proceeding. Without either, the Debtor is still in the proceeding and is still in danger of being prejudiced by whatever ruling Judge Eginton may have, notwithstanding the stay.

4. Given the nature of the Connecticut proceeding, and the now-scheduled hearing in Connecticut for 10 a.m. Central time, tomorrow, January 17, 2014, the Debtor requests expedited consideration of the Motion to Enforce the Automatic Stay.

WHEREFORE, the Debtor requests this Court: (i) grant this Motion to Expedite; (ii) schedule a hearing on its Motion to Enforce the Automatic Stay at its earliest convenience; and (iii) grant such further relief to which it is justly entitled.

Date: January 16, 2014

Respectfully submitted,

HUSCH BLACKWELL LLP
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lynn.butler@huschblackwell

By: /s/ Lynn Hamilton Butler
Lynn Hamilton Butler
State Bar No. 03527350

PROPOSED ATTORNEYS FOR DEBTOR

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with all impacted parties and none are opposed to an expedited hearing.

/s/ Lynn Hamilton Butler
Lynn Hamilton Butler

CERTIFICATE OF SERVICE

I hereby certify that on this 16TH day of January, 2014, a true and correct copy of the foregoing pleading was served, via the Court's CM/ECF notification system and/or regular first class mail, on the parties set forth on the attached Matrix. The foregoing pleading was also served by email on counsel for Garnet Analytics, Inc. at:

McCormack, Christopher P. [<mailto:CMcCormack@PULLCOM.COM>]

/s/ Lynn Hamilton Butler

Lynn Hamilton Butler

Label Matrix for local noticing
0542-1
Case 14-10069-tmd
Western District of Texas
Austin
Thu Jan 16 14:53:52 CST 2014

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American Express
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Fort Lauderdale, FL 33336-0002

Anthem Blue Cross
P.O. Box 9051
Oxnard, CA 93031-9051

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Employment Development Department
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Pasadena, CA 91109-7321

Franchise Tax Board
Bankruptcy Section, MS A-340
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Philadelphia, PA 19101-7346

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Secretary of the Treasury
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Sourcive, Inc.
4255 Garlan Lane
Reno, NV 89509-5444

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REVENUE ACCOUNTING DIV - BANKRUPTCY SECTION
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Tax-Collections
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Austin, TX 78778-0001

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Department of Justice
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Washington, DC 20530-0009

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CINCINNATI OH 45201-5229

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Ogden, UT 84201-0001

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Austin, TX 78731-5941

United States Trustee - AU12
United States Trustee
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Austin, TX 78701-2450

Verizon
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Dallas, TX 75392-0041

Verizon Wireless
Attn: Bankruptcy Div.
P.O. Box 660108
Dallas, TX 75266-0108

Wells Fargo Business Card
P.O. Box 54349
Los Angeles, CA 90054-0349

Williamson County Tax Assessor
904 South Main
Georgetown, TX 78626-5829

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

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(d)Internal Revenue Service
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(d)Internal Revenue Service
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State Board of Equalization
 State of California
 Account & Analysis & Control Section
 P.O. Box 942879
 Sacramento, CA 94279

Texas Comptroller
 c/o Susan Combs
 P.O. Box 13528
 Austin, TX 78711-3528

U.S. Bank
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 Saint Louis, MO 63179

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Brian J. Sol.
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End of Label Matrix	
Mailable recipients	51
Bypassed recipients	2
Total	53

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:	§	
	§	
DIVERSIFIED SOLUTIONS, INC.	§	Case No. 14-10069
	§	
Debtor.	§	Chapter 11

**ORDER GRANTING MOTION TO EXPEDITE HEARING ON
DEBTOR'S EXPEDITED MOTION TO ENFORCE THE AUTOMATIC STAY**

Came on for consideration, the Motion to Expedite Hearing on Debtor's Expedited Motion to Enforce the Automatic Stay, and the Court, having reviewed and considered the Motion, finds that it is meritorious and should be granted. It is, therefore:

ORDERED that Motion to Expedite Hearing on J Debtor's Expedited Motion to Enforce the Automatic Stay be, and hereby is, GRANTED; and it is further

ORDERED that a hearing on Motion to Expedite Hearing on Debtor's Expedited Motion to Enforce the Automatic Stay is set for January ____, 2014 at ____ .m. Debtor shall be responsible for notice.

#

Order prepared and submitted by:

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PROPOSED ATTORNEYS FOR
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